

**Evan Spencer Law, PLLC
305 Broadway, 7th Floor
New York, NY 10007
Tel. 917.547.4665
Evan@EvanSpencerLaw.com
EvanSpencerLaw.com**

May 26, 2023

VIA ELECTRONIC FILING

The Honorable Alvin K. Hellerstein
United States District Court
Southern District of New York
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street
New York, NY 10007

Re: Johnson v. Musk, et al., Case No. 1-22-cv-05037

Dear Judge Hellerstein:

I am writing in response to Defendants' letter filed today in response to Plaintiffs' emergency motion for a stay of the pending briefing schedule.

As the Court is aware, an "Emergency Motion" can be filed when a party needs a ruling on short notice. In the instant case, Plaintiffs made clear in their motion that the stay was requested because there is a pending deadline for Plaintiffs' responsive brief of May 31st and Plaintiffs were unable to give Defendants 14 days' notice as is usually required.

Scheduling this hearing on May 30th will give the parties the opportunity to address this prior to Plaintiffs' deadline of May 31st. If the Court grants Plaintiffs motion, it will save the parties the time, money and energy of submitting a responsive brief on May 31st and a reply brief on July 18th and will save the Court the time of ruling on a motion to dismiss the Second Amended Complaint, a pleading that will likely become moot by the Third Amended Complaint.

Therefore, Plaintiffs respectfully request that the Court rule ex parte on Plaintiffs' motion to stay or schedule a video conference hearing on Tuesday, May 30th.

Sincerely,

s/Evan Spencer